

**From:** chris  
**To:** Microsoft ATR  
**Date:** 1/27/02 11:40am  
**Subject:** FW: on the Microsoft case

Mr. Blumenthal, State Attorney General of CT suggested I forward this.

-----Original Message-----

From: Oakleaf, Christopher [mailto:coakleaf@oxhp.com]  
Sent: Wednesday, January 23, 2002 2:57 PM  
To: 'chris@oaksong.com'  
Subject: FW: on the Microsoft case

-----Original Message-----

From: Richard Blumenthal [mailto:attorney.general@po.state.ct.us]  
Sent: Wednesday, January 23, 2002 1:47 PM  
To: Oakleaf, Christopher  
Subject: Re: on the Microsoft case

"Oakleaf, Christopher" wrote:

> Dear Mr. Blumenthal,  
>  
> While I presume you have some technically astute people providing you  
> information, I've not seen anything in the news that suggests any one is  
> aware of the current intertwining of the MS Operating System and the IE  
> browser. At this point in time, anyone updating the browser, say from 5 to  
> 6, is also updating key operating system components. MS has also made it  
> very difficult to back off an update. Today, if you upgrade from ME to XP,  
> for instance, it is not possible to revert to the previous version. The  
> upgrade is one way, which was not true when you went from 98 to ME.  
>  
> Microsoft never has and never will have any interest in playing nice in  
the  
> sand box. The comment that follows is a perfect example:  
>  
> Microsoft spokesman Jim Desler said the company had not reviewed the  
> Netscape lawsuit and could not comment on specific allegations but added:  
> "AOL purchased Netscape for \$10 billion, now AOL wants to blame Microsoft  
> for Netscape and AOL's own mismanagement."  
>  
> A viewing of 'Triumph of the Nerds', broadcast on PBS from time to time,  
> makes Bill Gates stance towards the rest of the industry, and by extension  
> the rest of the country, quite clear: Microsoft plays to win and doesn't  
> take prisoners.  
>  
> I have been very gratified that your office has continued to pursue this

> issue, as there's nothing that Bill would like more than for the pressure  
to  
> go away.  
>  
> An anecdote: Some years ago, when GE was working out the MSNBC deal with  
> Microsoft, Netscape was the browser of choice within the organization.  
Bill  
> Gates was clearly aware of this. The next release of office had not been  
> made available to the company as a site license. Word was that the  
contract  
> negotiations were stalled. There was no question in anyone's mind that  
Bill  
> wanted Netscape off the desktop at GE. While I have no direct evidence, I  
> would not be particularly surprised if Jack Welch didn't tell Bill to take  
a  
> hike, as the next release of office was available immediately after the  
> closing of the MSNBC deal and Netscape was not removed from the desktop.  
>  
> Regards,  
> Chris Oakleaf  
> An occasional correspondent  
>  
> As a private contractor, the views expressed here are my own and do not  
> represent those of any entity I may be working for.

Dear Mr. Oakleaf:

Thank you for your recent thoughtful correspondence concerning the Microsoft antitrust case.

As you know, on November 6, 2001, the United States Department of Justice and Microsoft filed a proposed settlement. I did not join that settlement because I do not believe it would accomplish the goals we set when we filed the case. Nor would it accomplish the remedial goals set by the U.S. Court of Appeals: (1) to prohibit the illegal conduct and similar conduct in the future, (2) to spark competition in this industry; and (3) to deprive Microsoft of its illegal gains.

You may also express your opinion to the judge of the federal trial court considering this settlement by filing written comments with the United States Department of Justice by January 28, 2002, as follows:

Mail: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
601 D Street NW  
Suite 1200  
Washington, DC 20530-0001

[NOTE: Given recent mail delivery interruptions in Washington, D.C., and current uncertainties involving the resumption of timely mail service, the Department of Justice strongly encourages that comments be submitted via

e-mail or fax.]

E-mail: [microsoft.atr@usdoj.gov](mailto:microsoft.atr@usdoj.gov)

In the Subject line of the e-mail, type "Microsoft Settlement."

Fax : 1-202-307-1454 or 1-202-616-9937

Please keep me informed of your opinions on the case.

Thank you again for contacting me.

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Sincerely,

Richard Blumenthal

Attorney General